

HOUSE, NO. 4440

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR
2006 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS
AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to make appropriations for the fiscal year beginning July 1, 2005, and to make certain changes in law, each of which is immediately necessary or appropriate to effectuate said appropriations or for other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2006, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in said appropriation acts, for the several purposes and subject to the conditions specified in this act or in said appropriation acts and subject to laws regulating the disbursement of public funds for the fiscal year ending June 30, 2006. The sums in said section 2 shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

SECTION 2.

JUDICIARY.

Committee for Public Counsel Services.

0321-1510	\$20,000,000
0321-1520	\$1,800,000

Berkshire County District Attorney

0340-1100	\$150,000
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OFFICE OF THE STATE COMPTROLLER.

1000-0001\$500,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Division of Human Resources.

1750-0201\$80,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Department of Fish and Game.

2300-0100\$50,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

4000-1405\$25,000,000

Department of Transitional Assistance

4400-1000\$125,000

Department of Public Health.

4510-0100\$318,000

4510-0150\$1,650,000

EXECUTIVE OFFICE OF TRANSPORTATION

Department of Highways.

6010-0001\$100,000

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT.

Department of Housing and Community Development.

7004-0099\$200,000

7004-9005\$7,200,000

Department of Workforce Development.

7003-0702\$1,250,000

Department of Business and Technology.

7007-0900\$250,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

Office of the Secretary.

8000-0000\$150,000

Registry of Motor Vehicles.

8400-0001\$400,000

Department of Correction.

8900-0001\$875,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise, for the several purposes and subject to the conditions specified in this section, and subject to laws regulating the disbursement of public funds for the fiscal year ending June 30, 2006. The sums shall be in addition to any amounts previously appropriated and made available for the purposes of these items.

JUDICIARY.

Committee for Public Counsel Services.

0321-1513 For additional costs of the public defender division pursuant to
section 5 of chapter 54 of the acts of 2005; provided, that no
funds from this appropriation shall support existing costs
associated with line item 0321-1500.....\$4,560,649

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves.

1599-7800 For a reserve to meet the fiscal year 2006 costs of salary adjustments for justices of the supreme judicial court, appeals court and trial court, and certain other employees pursuant to sections 26, 27, and 28 of this act\$6,998,409

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT.

Department of Housing and Community Development.

7004-1000 For a one-time state supplement to the federal Low Income Home Energy Assistance program for the purpose of assisting low-income elders, working families and other households with the purchase of heating oil, propane and natural gas and electricity, and other primary or secondary heating sources; provided, that expenditure of these funds shall be made in accordance with the state plan submitted by the department of housing and community development in accordance with the federal program; provided further, that \$5,000,000 shall be made immediately available for expenditure for all eligible households; provided further, that \$15,000,000 shall be available for expenditure for said program after federal funds available for said purpose have been expended for said purpose; provided further, however, that such assistance awarded by said program shall be expended in the following order of priority: (1) all eligible households not previously

awarded assistance by said federal program; and (2) households previously awarded federally funded assistance in fiscal years 2005 and 2006; provided further, that the department may increase maximum assistance for which a household is eligible to reflect the needs of such households; and provided further, that any federal funds allocated to said program received during fiscal year 2006 shall be expended prior to any expenditures from this item.....\$20,000,000

Division of Energy Resources.

7006-1003 For the operation of the division on energy resources... \$1,056,404

BOARD OF HIGHER EDUCATION.

State Colleges.

7066-0115 For the purposes of implementing section 15E of chapter 15A of the General Laws to encourage private fundraising by the commonwealth's public institutions of higher education for the endowments and capital outlay programs of said institutions; provided, that funds shall be disbursed on a quarterly basis in proportion to the amount of funds raised by each institution; provided further, that the board of higher education shall implement this program in a manner which ensures that each institution shall have an equal opportunity to secure matching funds from this item.....\$8,000,000

LEGISLATURE

Joint Legislature Expenses.

9700-0200 For costs associated with providing interpreter services for the deaf
and hard of hearing at State House public hearings.....\$12,000

SECTION 2E. To provide for certain unanticipated obligations of the commonwealth, to provide for certain other activities and projects and to meet certain requirements of law, the sums set forth herein are hereby appropriated from the General Fund for the several purposes and subject to the conditions specified therein, and subject to the provisions of law regulating the disbursement of public funds; provided, that notwithstanding the provisions of any general or special law to the contrary, appropriations made herein shall not revert and be available for expenditure until June 30, 2007.

SECRETARY OF THE COMMONWEALTH

0526-0910 For a program of grants to units of municipal governments and to private, nonprofit organizations for the preservation of historic properties, landscapes and sites; provided, that \$40,000 be expended for the West End Museum in the City of Boston; provided further, that \$100,000 shall be expended for the historic preservation repairs at the Bacon Free Library in Natick; provided further, that \$40,000 shall be expended for the historic preservation of the Winthrop Library Museum; provided further, that \$100,000 shall be expended for historic preservation at the Lenox Library in the town of Lenox; and provided further, that not less than \$200,000 to be expended for the purpose of restoring the Old Indian Meeting House, in the town of Mashpee\$480,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance

1599-3748 For a reserve to fund capital projects at state and community colleges;

provided, that funds expended from this item shall be prioritized to address the rehabilitation, renovation and maintenance of infrastructure identified as posing an immediate hazard to public safety; and provided further, that the secretary of administration and finance shall file a report with the house and senate committees on ways and means and the house and senate committees on higher education on or before February 21, 2006 detailing the list of projects scheduled to receive prioritized funding through this reserve\$50,000,000

1599-3749 For a reserve to fund capital projects at the university of

Massachusetts; provided, that funds expended from this item shall be prioritized to address the rehabilitation, renovation and maintenance of infrastructure identified as posing an immediate hazard to public safety; and provided further, that the secretary of administration and finance shall file a report with the house and senate committees on ways and means and the house and senate committees on higher education on or before February 21, 2006 detailing the list of projects scheduled to receive prioritized funding through this reserve\$50,000,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Department of Environmental Protection.

2200-1511 For a grant program to fund the rehabilitation, reconstruction and construction of sea walls; provided, that preference of funding for the renovation and construction of said sea walls shall be given to those areas that pose an immediate hazard to public safety.....\$5,000,000

Department of Conservation and Recreation.

2800-0108 For maintenance of the Commonwealth's park and beach system, including improvements to public access; provided, that \$50,000 shall be expended for Apponagansett Bay in the town of Dartmouth; provided further, that \$150,000 shall be expended for the towns of Brewster and Harwich to address a phosphorus imbalance in Long Pond; provided further, that \$100,000 shall be expended for the design and construction of a boardwalk along Salisbury Beach; provided further, that \$300,000 shall be expended for improvements to Ambrose Park in the city of Revere; provided further, that \$100,000 shall be expended for repairs to a boat ramp at Pamet River in the town of Harwich; provided further, that \$350,000 shall be expended for the Kernwood Marina in the city of Salem; provided further, that \$50,000 shall be expended for a feasibility study to extend the Ashuwillticook Bike Trail from its ending point at the Pittsfield-Lanesborough line for an additional two miles into the city of Pittsfield; provided further, that \$100,000 shall be

expended to the town of Medway for storm damage; provided further, that not less than \$1,000,000 shall be expended for capital improvements and maintenance costs for Revere Beach in the city of Revere; provided further, that \$250,000 shall be expended to the town of Grafton for costs associated with the Lake Ripple dredging project; provided further, that \$100,000 shall be expended for the restoration of Merrymount Park in the city of Quincy; provided further, that \$30,000 shall be expended for the restoration and conservation of Furnace Pond in the town of Pembroke; provided further, that \$75,000 shall be expended for the repairs of a boat dock in the town of Plymouth; provided further, that \$300,000 shall be expended for improvements to Frederick's Park in the city of Revere; provided further, that \$250,000 shall be expended to the town of Wakefield for the cleanup of Lake Quannapowitt, including its shoreline, bank, buffer zone, and land in the vicinity thereof; provided further, that \$150,000 shall be expended for the Jordan Pond Project in the town of Shrewsbury; provided further, that \$10,000 shall be expended for the Lake Singletary Watershed Association; and provided further, that \$200,000 shall be expended to rehabilitate the Choate Park Dam in Medway.....\$3,565,000

2800-0610 For a competitive grant program to fund the rehabilitation or reconstruction of municipal pools; provided, that in awarding said grants, priority shall be given to the

rehabilitation or reconstruction of municipal pools that were deemed to be in critical condition or very poor condition in the department's "Key Components Assessment Summary" conducted in 2004.....\$1,500,000

EXECUTIVE OFFICE OF TRANSPORTATION

Department of Highways.

6005-0030 To provide for transportation improvements, to include road, pedestrian and infrastructure projects; provided, that \$336,000 shall be expended for the Bolivar Street project in the town of Canton; provided further, that \$40,000 shall be expended for flood control on Forest Road in Millis; provided further, that \$25,000 shall be expended for the Woburn Nelco Roadway construction; provided further, that \$350,000 shall be expended for the reconstruction and repaving of Route 133 from the Georgetown line to West Boxford Center; provided further, that \$50,000 shall be expended for a feasibility study of the Blackstone Valley Regional Salt Shed in the town of Sutton; provided further, that \$200,000 shall be expended for the installation of a stop light and related road construction at the Winter Street and Route 53 intersection in the town of Duxbury; provided further, that \$500,000 shall be expended for the Route 97 intersection project in the town of Wenham; provided further, that \$200,000 shall be expended for traffic signals and roadway improvements at the intersection of Bolton Street and Rockdale Avenue located in the south end of New

Bedford; provided further, that \$125,000 shall be expended for the replacement of a culvert on Bridge Street in the town of Dennis; provided further, that \$45,000 shall be expended for improvements to the sidewalk on North Main Street in Sherborn to meet the standards of the Americans with Disabilities Act; provided further, that \$200,000 shall be expended for the construction of a new highway barn and salt shed in the town of Medway; provider further, that \$100,000 shall be expended for the Old Center/Common project in North Andover; provided further, that \$100,000 shall be expended for design and construction of sidewalks on Green Street in the town of Lynnfield; provided further, that \$100,000 for platform repairs in the town of Stoughton; provided further, that \$800,000 shall be expended for the Chicopee Riverwalk and Bikeway project; provided further, that \$100,000 shall be expended for the rehabilitation of the Fisher Street Bridge in the town of North Attleboro; provided further, that \$30,000 shall be expended for a feasibility study conducted by the towns of Wakefield and Lynnfield for recreational pathways abutting Reedy Meadow; provided further, that \$200,000 shall be expended to restore and expand 2B Oak Street in the Town of Medway; provided further, that \$125,000 shall be expended for emergency road repairs as the result of heavy rains in the town of Bernardston; provided further, that \$325,000 shall be expended for sidewalks on Franklin Street in the town of Reading; provided further, that \$100,000 shall be expended

for the redesign and engineering of the intersection of Chestnut Street and Route One in the town of North Attleboro; provided further, that \$900,000 shall be expended for the fourth phase of the East Street renovation project in the town of Ludlow; provided further, that \$200,000 shall be expended for road improvements on Achnusnet Avenue and Braley Road in the city of New Bedford\$5,151,000

6033-0592 For construction and reconstruction projects on town and county ways as described in subdivision (a) of clause (2) of section 34 of chapter 90 of the General Laws; provided, however, that all funds appropriated pursuant to this account shall be in addition to all capital funds otherwise allocated or obligated and said appropriation shall not operate to reduce or replace any capital funds required to be made available for chapter 90 purposes; provided further, that notwithstanding chapter 29 of the General Laws or any other general or special law to the contrary, all funds appropriated herein shall be used exclusively to reimburse chapter 90 capital expenses arising out of prior capital authorizations and that all funds appropriated herein shall be used prior to using existing capital funds for reimbursements; provided further, that all funds appropriated herein shall be distributed based on the formula used by the highway department to distribute capital funds made available pursuant to chapter 90 in fiscal year 2006; provided further, that a city or town shall comply with the procedures established by the highway department; provided further, that any such city or town is hereby

authorized to appropriate for such projects amounts not in excess of the amount provided to such city or town under this item; provided further, that said appropriation shall be made as an available fund upon approval of the commissioner of revenue pursuant to section 23 of chapter 59 of the General Laws; and provided further, that the commonwealth shall reimburse said city or town under this item within 30 days of receipt by the department of a request for reimbursement from such city or town, which request shall include certification by such city or town that actual expenses have been incurred on projects eligible for reimbursement under this item, and that the work has been completed to the satisfaction of such city or town according to the specifications of said project and in compliance with applicable law and said procedures established by the department\$55,000,000

6033-0593 For critical roadway and streetscape improvements to the Sears Rotary, Ipswich Street, Maitland Street and Yawkey Way in the city of Boston.....\$12,500,000

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT.

Department of Housing and Community Development.

7004-0097 For economic grants to municipalities; provided, that \$40,825 shall be expended for the Rockland Community Center; provided further, that \$50,000 shall be expended to the Salisbury Historical Society to complete a historic building restoration

and create a town history museum and visitors center at Parson's Corner in Salisbury; provided further, that \$500,000 shall be expended for the Mohawk Theatre, subject to a 100 percent funding match; provided further, that \$16,000 shall be expended for emergency flood remediation in the town of Athol; provided further, that \$1,100,000 shall be expended to the town of Norwood for a one-time matching grant for the elderly population growth project; provided further, that \$40,000 shall be expended to the Woburn Redevelopment Authority for improvements to an elevator to meet the standards of the Americans with Disabilities Act; provided further, that \$1,500,000 shall be expended for the state contribution for a recreational complex in the town of Wrentham; provided further, that \$100,000 shall be expended for the renovation of the Bing Theatre in Springfield; provided further, that \$125,000 shall be expended for the renovation of municipal infrastructure in the town of Webster; provided further, that \$68,000 shall be expended for the North Adams Airport; provided further, that \$100,000 shall be expended for revitalization of the Weymouth landing area in the town of Weymouth; provided further, that \$50,000 shall be expended for an economic development project in the town of New Bedford at the Elco Dress Factory; provided further, that \$15,000 shall be expended for the WWII monument in the town of Hamilton; provided further, that \$400,000 shall be expended for costs associated with the Tewksbury Center expansion project on

Chandler Street in the town of Tewksbury; provided further, that \$50,000 shall be expended for the destruction of old army bunkers located on the Division of Fisheries and Wildlife land in the town of Hingham; provided further, that \$250,000 shall be expended for new seating in the historic Chevalier Auditorium in Medford; provided further, that \$50,000 shall be expended for the Cambridge Housing Authority Work Force Program; provided further, that \$50,000 shall be expended for the destruction of old army bunkers located on Mass Highway land in the town of Hingham; provided further, that not less than \$1,000,000 shall be expended for Our House Family Learning Center of the Merrimack Valley; provided further, that \$75,000 shall be provided to World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; provided further, that \$250,000 shall be expended for the improvement of recreational sites in the town of West Bridgewater; provided further, that not less than \$2,000,000 shall be expended for the purpose of expanding the groundwater monitoring system in the city of Boston; provided further, that \$50,000 shall be expended for the Amesbury Carriage Alliance in the Amesbury lower milliard to preserve and renovate an existing building into a carriage museum, visitors center and artisans center; provided further, that \$1,430,000 shall be expended for renovations and upgrades for Winthrop recreational areas; provided further, that \$40,000 shall be expended to assist the city of Newton

with a smart growth development plan for Newton Center;
provided further, that \$1,000,000 shall be expended for
pollution prevention at the Tri-Town landfill in Heath;
provided further, that \$225,000 shall be expended to the
town of Wayland for a generator for the purpose of
emergency evacuation; provided further, that \$205,000 shall
be expended for the Major Taylor Memorial in Worcester;
provided further, that \$300,000 shall be expended for the
McPherson Youth Center in the town of Beverly; provided
further, that \$200,000 shall be expended to reconstruct the
parks and fields in the town of Medway; provided further,
that \$100,000 shall be expended for an economic
development project in the town of Braintree; provided
further, that \$1,500,000 shall be expended for the Blackstone
River Bikeway and Visitor Center; provided further, that
\$1,600,000 shall be expended for commonwealth
contribution funds related to the Route 146 Connector
project in the city of Worcester; provided further, that
\$175,000 shall be expended for the Greenwood Memorial
Bathhouse; provided further, that \$150,000 shall be
expended for a park renovations at the Municipal Youth
Center in the town of Beverly; provided further, that
\$200,000 shall be expended for a matching contribution for
the enhancement of recreational sites in the town of Reading.....\$15,004,825

BOARD OF HIGHER EDUCATION.

State Colleges.

7116-0102 For a matching grant for improvements to Rockwood Field located at Worcester State College; provided, that said match shall be one dollar of private funds for every dollar of state funds raised through alumni contributions; provided, that no funds shall be expended until an equal or greater amount has been raised through alumni contribution and committed by Worcester State College Foundation for said project; and provided further, that said college shall work with the City of Worcester \$250,000

Community Colleges.

7509-0102 For the one-time maintenance on the fields and recreational sites at the Mount Wachusett Community College.....\$100,000

SECTION 3. Section 1 of chapter 6 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended in line 1 by striking out the figure “\$135,000” and inserting in place thereof the following figure:— \$140,535

SECTION 4. Section 3 of chapter 6 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended in line 1 by striking out the figure “\$25,000” and inserting in place thereof the following figure:— \$26,025

SECTION 5. Section 1 of chapter 9 of the General Laws, as so appearing, is hereby amended in line 8 by striking out the figure “\$120,000” and inserting in place thereof the following figure:— \$124,920

SECTION 6. Section 1 of chapter 10 of the General Laws, as so appearing, is hereby amended in line 3 by striking out the figure “\$120,000” and inserting in place thereof the following figure:— \$124,920

SECTION 7. Section 1 of chapter 11 of the General Laws, as so appearing, is hereby amended in line 4 by striking out the figure “\$120,000” and inserting in place thereof the following figure:— \$124,920

SECTION 8. Section 1 of chapter 12 of the General Laws, as so appearing, is hereby amended in line 3 by striking out the figure “\$122,500” and inserting in place thereof the following figure:— \$127,523

SECTION 9. Chapter 15A of the General Laws is hereby amended by striking out section 15E, as appearing in the 2004 Official Edition, and inserting in place thereof the following section:-

Section 15E. It is hereby declared to be the policy of the commonwealth to encourage private fundraising by the state university and public colleges and to assist such fundraising through a matching program to be known as the public higher education endowment incentive and capital outlay contribution program which shall not result in direct or indirect reductions in the commonwealth's appropriations to such institutions for operations or for capital support.

Subject to appropriation, the commonwealth shall contribute funds to each institution's recognized foundation in an amount necessary to match private contributions in the current fiscal year to the institutions or a foundation's endowment or capital outlay program based on the following matching formula. Subject to appropriation, the commonwealth's contribution shall be equal to \$1 for every \$2, or \$1 for such greater number of dollars as may be established by the board of higher education, privately contributed to the university's board of trustees or a foundation, provided that the maximum total contributions from the commonwealth shall be \$50,000,000; \$1 for every \$2, or \$1 dollar for such greater number of dollars as may be established by the board of higher education, privately contributed to each state college's board of trustees or foundation, provided that the maximum total contributions from the commonwealth shall be \$5,000,000 for each institution; \$1 for every \$2, or \$1 for such greater number of dollars as may be established by the board of higher education, privately contributed to each community

college's board of trustees or foundation, provided that the maximum total contributions from the commonwealth shall be \$2,000,000 for each institution.

Private contributions to the endowment or capital outlay program for purposes of these matching grant programs shall be limited to donations to an endowment for academic purposes including, but not limited to, scholarships and endowed chairs or contributions to a capital outlay program in support of academic facility construction and maintenance approved by the appropriate board of trustees.

Said program shall terminate for the university when its foundation has received \$50,000,000 in appropriated matching funds according to the formula prescribed above, or on July 1, 2010, whichever is sooner. Said program shall terminate for any state college when its foundation has received \$5,000,000 in appropriated matching funds according to the formula prescribed above or on July 1, 2010, whichever is sooner. Said program shall terminate for any community college when its foundation has received \$2,000,000 in appropriated matching funds according to the formula prescribed above or on July 1, 2010, whichever is sooner.

For each institution, the program shall be administered by its foundation, as defined in section 37, in accordance with procedures established by the board of trustees and filed with the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance no later than 30 days from the time of adoption. Any further amendments to said procedures shall also be filed within 30 days of adoption with the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance. Such procedures shall include a method for each board of trustees to certify to the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance the actual amount received in private contributions to the endowment or capital outlay program in each fiscal year. Such procedures shall also include safeguards for protecting the anonymity of donors who indicate their desire not to be identified. For the state university, such procedures shall also

provide that the allocation of all matching funds from the commonwealth shall be subject to prior approval by the president of the university.

SECTION 10. Chapter 21A of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting after section 7 the following section:—

Section 7B: The Chancellor of the University of Massachusetts Amherst in consultation with the Secretary of the Massachusetts Executive Office of Environmental Affairs and Department of Geosciences shall appoint a professional geologist to be state geologist. The state geologist shall perform research on the land, mineral, and water resources of the state; coordinate and facilitate research and communication among various agencies, researchers and stakeholders; collect, compile, analyze and preserve data pertaining to the geologic environment; disseminate the findings of such research to the public through maps, reports, and other publications; and, direct the Massachusetts Geological Survey. The state geologist shall advise all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors relating to the geology of the state. The state geologist shall maintain liaison with federal and other state geological surveys, and academic institutions. The state geologist shall have a term limit of 5 years at which time the appointment can be reviewed, revoked or renewed.

SECTION 11. Section 64 of chapter 29 of the General Laws, as appearing in the 2004 Official Edition is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Section 64. The state treasurer, on behalf of the commonwealth, may contract with an employee to defer a portion of that employee's compensation and may, for the purposes of funding a deferred compensation program for said employee, established in accordance with the U.S. Internal Revenue Code, (the "Code"), invest the deferred portion of the employee's income in a life insurance or annuity contract, mutual fund, a bank investment trust, and/or such additional investment alternatives as may be made available under the program. The treasurer shall, before making any such investment, solicit bids from fund managers, investment managers,

and insurance companies authorized to conduct business within the commonwealth pursuant to chapter 175, mutual fund managers, and banks, which bids shall be sealed, and opened at a time and place designated by the treasurer. Any bid submitted by an insurance company, mutual fund, bank investment trust or other fund manager or investment manager, to fund the deferred compensation program shall, where applicable, clearly indicate the interest rate which shall be paid on the deferred funds, any commissions which will be paid to the salesmen, any load imposed for the purpose of administering the funds, mortality projections, expected payouts, tax implications for participating employees and such other information as the treasurer may require. Any contract entered into between an employee and the commonwealth pursuant to this section shall include all such information in terms the employee can reasonably be expected to understand.

SECTION 12. Section 90C ³/₄ of Chapter 32 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by striking the title and inserting in place thereof the following:—

Increasing allowance of former state and metropolitan district police officers retired after at least twenty years of service.

SECTION 13. Section 90C ³/₄ of Chapter 32 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by striking the text contained therein and inserting in place thereof the following:--

Section 90C ³/₄. A former state or metropolitan district police officer, retired prior to July 1, 1992, who has been retired under any provision of this chapter or similar provision or earlier law on account of superannuation after having served in the state or metropolitan district police force for a period of not less than 20 years shall have his retirement allowance increased to an amount not exceeding one-half the rate of regular compensation payable to state police officers holding similar positions, at the time of increasing such allowance, in the comparable grade or classification occupied by such former officer at the time of his retirement.

SECTION 14. Section 20 of chapter 44 of the General Laws, as amended by section 33 of chapter 46 of the acts of 2003, is hereby further amended by adding the following sentence:— The provisions of the preceding two sentences shall not apply to bond premiums received by the town of Maynard on or before July 31, 2003.

SECTION 15. Section 57 of chapter 59 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— A real estate tax bill sent out for fiscal year 2008 or any subsequent period pursuant to this section shall contain a statement that there exists a delinquency if any tax, betterment assessment or apportionment thereof, water rater, annual sewer use, or other charge which may constitute a lien is overdue more than 90 days.

SECTION 16. The seventh paragraph of section 57C of chapter 59 of the General Laws, as amended by chapter 352 of the acts of 2004, is hereby amended by striking out the second sentence and inserting in place thereof the following:— A real estate tax bill sent out for fiscal year 2008 or any subsequent period pursuant to this section shall contain a statement that there exists a delinquency if any tax, betterment assessment or apportionment thereof, water rate, annual sewer use, or other charge which may constitute a lien is overdue more than 90 days.

SECTION 17. Subsection (c) of section 16 of chapter 62C of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by striking out the words 'number of cigarettes' anywhere they appears, and inserting in place thereof the following words:— quantity of tobacco products.

SECTION 18. Said subsection (c) of said section 16 of said chapter 62C, as so appearing, is hereby further amended by striking out the words 'cigarette or cigarettes' anywhere they appear, and inserting in place thereof the following words:— tobacco products.

SECTION 19. Section 1 of chapter 64C of the General Laws, as so appearing, is hereby amended by inserting after the word "commonwealth", in line 6, the following words:— ;'tobacco products' shall mean cigarettes, smokeless tobacco, cigars and smoking tobacco.

SECTION 20. Said section 1 of said chapter 64C, as so appearing, is hereby further amended by striking out the word "cigarettes" anywhere it appears, except in line 47, and inserting in place thereof the following words:— tobacco products.

SECTION 21. Said section 1 of said chapter 64C, as so appearing, is hereby further amended by striking out, in lines 53 to 55, inclusive, the words “,unless the context otherwise requires, the word 'cigarette' shall include within its meaning smokeless tobacco”.

SECTION 22. Section 2 of said chapter 64C, as so appearing, is hereby amended by striking out the word "cigarettes" anywhere it appears, and inserting in place thereof the following words:— tobacco products.

SECTION 23. Section 5 of said chapter 64C, as so appearing, is hereby amended by striking out the word "cigarettes" anywhere it appears, and inserting in place thereof the words:— tobacco products.

SECTION 24. Section 51M of chapter 90 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by adding the following new paragraph:—

Notwithstanding any general or special law to the contrary, no building or structure for the operation of such business or system shall be newly constructed within 1,000 feet of a residential dwelling without completion of an environmental impact review in accordance with section 62B of chapter 30 of the general laws.

SECTION 25. Chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after section 32G the following new section:—

Section 32G½. The registrar is hereby authorized to promulgate rules and regulations relative to the certification and operation of advanced driver training programs offered within the commonwealth. No person or entity shall engage in the business or provide instruction in an advanced driver training program without being certified by the registrar pursuant to any such rules and regulations. The registrar may refuse to issue such certification to any individual or entity if the individual or any employee of an entity has: (a) made a material false statement or concealed a material fact in connection with a certification application; (b) has been the holder of

a driving school or driving school instructor's license issued pursuant to section 32G of this chapter that was revoked or suspended by the registrar; (c) has been convicted of a felony, or any crime involving violence, dishonesty, deceit, indecency, degeneracy, or moral turpitude; or (d) if the registrar determines that any individual or entity had failed to furnish satisfactory evidence of good character, reputation, and fitness.

SECTION 26. Section 22 of chapter 211 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: The chief justice shall receive a salary of \$151,239 and each associate justice shall receive a salary of \$145,984 and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by each of them in the discharge of his duties.

SECTION 27. Section 2 of chapter 211A of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: The chief justice shall receive a salary of \$140,358 and each associate justice shall receive a salary of \$135,087 and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by each of them in the discharge of his duties.

SECTION 28. Section 4 of chapter 211B of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the first three paragraphs and inserting in place thereof the following three paragraphs:—

The salaries of the justices of the trial court shall be paid by the commonwealth. Each associate justice shall receive a salary of \$129,694.

The chief justice of the several departments shall receive a salary of \$135,124.

The chief administrative justice shall receive a salary of \$140,358.

SECTION 29. Chapter 208 of the Acts of 2000 is hereby repealed.

SECTION 30. Section 5 of chapter 352 of the acts of 2004 is hereby repealed.

SECTION 31. Section 363 of chapter 149 of the acts of 2004 is hereby amended by striking out in the last sentence the words “November 24, 2004” and inserting in place thereof the following words:— June 30, 2006

SECTION 32. Section 364 of said chapter 149 is hereby amended by striking out the words “April 1, 2005” and inserting in place thereof the following words:— April 1, 2006

SECTION 33. Item 0321-1520 of section 2 of chapter 45 of the acts of 2005 is hereby amended by striking out the words “;provided, that not more than \$500,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2006”

SECTION 34. Item 0340-0100 of said section 2 of said chapter 45 is hereby amended by striking out the clause “provided further, that not less than \$150,000 shall be expended for the purpose of a targeted control substance interdiction pilot program to be administered jointly by the district attorney for Suffolk county and the chiefs of police for the city of Revere and the town of Winthrop”

SECTION 35. Item 0340-1100 of said section 2 of said chapter 45 is hereby amended by adding the following:— and provided further, that \$150,000 shall be expended for the operation and management of the Berkshire County Drug Task Force

SECTION 36. Item 1750-0201 of said section 2 of said chapter 45 is hereby amended by striking out the figure “\$250,000” and inserting in place thereof the following figure:— \$330,000

SECTION 37. Item 2300-0100 of said section 2 of said chapter 45 is hereby amended by inserting at the end thereof the following:— provided further, that \$50,000 in matching funds shall be provided to the national marine life center for wetland restoration

SECTION 38. Item 2310-0200 of said section 2 of said chapter 45 is hereby amended by striking out the words “provided further, that \$50,000 in matching funds shall be provided to the national marine life center for wetland restoration”

SECTION 39. Item 2310-0200 of said section 2 of said chapter 45 is hereby amended by striking the figure “\$8,700,000” and inserting in place thereof the following figure:— \$8,650,000

SECTION 40. Item 2800-0100 of said section 2 of said chapter 45 is hereby amended by striking out the following words “provided further, that not less than \$100,000 shall be expended within thirty days of receipt of said funds, for the maintenance of the facility and animal upkeep of the mounted unit in the Blue Hills Reservation, which are not subject to said reimbursement to the Department;” and inserting in place thereof the following:— provided further, that not less than \$100,000 shall be expended within thirty days of receipt of said funds for the sole purpose of restoring, operating, maintaining and ongoing support of the department of conservation and recreation park rangers mounted unit in the Blue Hill Reservation, existing as of January 1, 2004, which shall be located and operated from the stable and adjacent facilities in the Blue Hill Reservation; provided further, that the Secretary of the Executive Office of Environmental Affairs is hereby directed to request and obtain the return of all animals, equipment, including tack and trailers, and personnel of the departments park rangers mounted unit within their control, custody, and possession as of January 1, 2004; provided further, that not later than December 30, 2005 the department shall file a report with the House and Senate Committees on Ways and Means detailing the actual expenditure of funds for the maintenance of the mounted unit in the Blue Hill Reservation;

SECTION 41. Item 4000-1405 of said section 2 of said chapter 45 is hereby amended by striking out the clause “provided further, the executive office of health and human services shall seek federal approval by October 1, 2005 in order to enroll the maximum number of possible enrollees allowable within this appropriation in this program during fiscal year 2006” and inserting in place thereof the following:— provided further, that said executive office shall seek federal approval by December 15, 2005 in order to enroll an additional 10,000 enrollees, for a maximum total of 54,000 enrollees; and provided further, that said executive office shall certify that said increased enrollment shall not result in a deficiency in said program in fiscal year 2006

SECTION 42. Item 4400-1000 of said section 2 of said chapter 45 is hereby amended by adding the following:— provided further, that \$100,000 shall be expended for the Horizon

Housing Program located in Mattapan; and provided further, that \$25,000 shall be expended for the Pettengill House of Salisbury

SECTION 43. Item 4510-0100 of said section 2 of said chapter 45 is hereby amended by adding the following:— provided further, that \$158,000 shall be expended for the Haitian Multi-Service Center; provided further, that \$100,000 shall be expended for Massachusetts Cervical Cancer Commission; provided further, that \$20,000 shall be expended for youth services at the youth center in Uxbridge; and provided further, that \$40,000 shall be expended for the Dismas House at the Worcester County House of Correction

SECTION 44. Item 4510-0150 of said section 2 of said chapter 45 is hereby amended by adding the following:— provided further, that \$150,000 shall be expended for the Harvard Street health center located in the North Dorchester section of the city of Boston; provided further, that \$1,500,000 shall be expended to the Massachusetts League of Community Health Centers for the purchase and implementation of electronic medical records; and provided further, that said funds shall be matched with private or federal funds

SECTION 45. Item 6010-0001 of said section 2 of said chapter 45 is hereby amended by adding the following:— and provided further, that \$100,000 shall be expended for the SCM Community Transportation.

SECTION 46. Item 7003-0702 of said section 2 of said chapter 45 is hereby amended by inserting at the end thereof the following:— ; and provided further, that \$1,250,000 shall be expended for the 1:1 Wireless Initiative at the New Boston Pilot Middle School

SECTION 47. Item 7004-0099 of said section 2 of said chapter 45 is hereby amended by adding the following:— provided further, that \$100,000 shall be expended for the Partners for Community Corporation; and provided further, that \$100,000 shall be expended for the Puerto Rican Cultural Center in Springfield

SECTION 48. Item 7006-1000 of said section 2 of said chapter 45, is hereby amended by striking the figure “\$1,441,404” and inserting in place thereof the following:— \$400,000

SECTION 49. Item 7007-0900 of said section 2 of said chapter 45 is hereby amended by adding the following:— and provided further, that \$250,000 shall be expended for the Merrimack Valley Economic Development Council

SECTION 50. Item 8000-0000 of said section 2 of said chapter 45 is hereby amended by adding the following:— provided further, that not less than \$150,000 shall be expended for the purpose of a targeted control substance interdiction pilot program to be administered jointly by the district attorney for Suffolk county and the chiefs of police for the city of Revere and the town of Winthrop

SECTION 51. Item 8400-0001 of said section 2 of said chapter 45 is hereby amended by striking the words “may operate a full service office in the town of Milford to be operated 5 days a week;” and inserting in place thereof the following:— shall operate a full service office in the town of Milford to be operated 5 days a week; provided further, that \$400,000 shall be expended for a study and evaluation of the automated license and registration system;

SECTION 52. Item 8900-0001 of said section 2 of said chapter 45 is hereby amended by inserting at the end thereof the following:— and provided further, that \$875,000 shall expended for an emergency safety equipment grant to the town of Bridgewater

SECTION 53. Item 8910-0145 of said section 2 of said chapter 45 is hereby amended by adding the following:— and provided further, that \$100,000 shall be expended for the Berkshire County drug task force

SECTION 54. Notwithstanding the provisions of section 15E of chapter 15A of the General Laws, as inserted by this act, the procedures established by the boards of trustees of public higher education to administer the public higher education endowment incentive and capital outlay contribution program established by said section shall be adopted not later than January 15, 2006.

SECTION 55. Notwithstanding any general or special law to the contrary the Division of Capital Asset Management and Maintenance shall cause the third floor of the Cohannet School building in the city of Taunton to be fully renovated prior to opening any other portions of the

building to the general public. The City of Taunton and the Taunton School department shall not be obligated to enter into any further contracts or lease agreements with the Division in exchange for the Division causing the third floor to be so renovated.

SECTION 56. Notwithstanding any general or special law or regulation to the contrary, the state comptroller shall grant a permanent waiver and/or exemption from any and all applicable charges or assessments made against the Water Supply Protection Trust by the Office of the Comptroller pursuant to its authority under section 5D and 6B of Chapter 29 of the General Laws.

SECTION 57. Notwithstanding any general or special law to the contrary not less than 10 days after effective date of this act, the comptroller shall transfer the balance of Transitional Escrow Fund, established by section 16 of chapter 106 of the acts of 2005, to the General Fund. Any amount exceeding the expenditures required by this act shall remain in the Transitional Escrow Fund.

SECTION 58. Sections 3, 4, 5, 6, 7 and 8 shall take effect as of July 1, 2005.

SECTION 59. Sections 26, 27, and 28 shall take effect January 1, 2006.